

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Hatcher	Examiner:	Utama
Serial No.:	10/815,469	Group Art Unit:	3714
Filed:	3/31/2004	Confirmation No.:	6384
Title:	INTERACTIVE TRAINING SYSTEM FOR MERCHANDISE BAG PACKAGING AND APPARATUS FOR SAME		

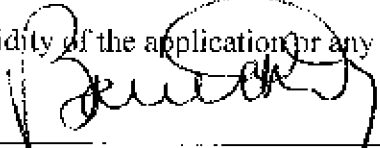
AFFIDAVIT OF BARRETT B. DALY

1. The assignee of the above referenced application is Biomedics Inc., a subsidiary of Unistar Plastics LLC. I am General Counsel of Unistar Plastics, LLC, Sack-Saver LLC and Biomedics Inc. I have been in this position since January 10, 1996.
2. The examiner noted that the applicant's website seemed to be available as early as October 13, 2002 and seemed to allow members of the public to obtain a demo version and/or use the sack saver game which is the subject of the above referenced application. As such, the examiner wanted to compare the sack-saver demo and available game that is associated with applicant's website marked on October 13, 2002 until March 31 2003 and requested products and services embodying the disclosed subject matter of Sack-Saver (as seen in <http://www.sack-saver.com>) and identify the properties of similar products and services found in the prior art.
3. The Examiner reminded the assignee and applicant that the reply to this requirement must be made with candor and good faith under 37 CFR 1.56. However, where the applicant does not have or cannot readily obtain an item of required information, a statement that the item is unknown or cannot be readily obtained may be accepted as a complete reply to

the requirement for that item.

4. The inventors of this application and the assignee have parted company and are no longer on good terms. Therefore, despite my best efforts, I cannot now obtain detailed information about products and services embodying the subject matter of Sack-Saver. However to the best of my knowledge there were never any products or services embodying the subject matter of Sack-Saver.
5. Applicants and assignee have properly made disclosure of similar products and services found in the prior art via an Invention Disclosure Statement.
6. Furthermore, the Sack-Saver demo is not openly available to members of the public. To run the Sack-Saver demo (www.sack-saver.com) requires an ID and password. Potential users must request these from this Company. To my certain knowledge very few people have ever requested an ID and password to run the demo. To the best of my knowledge no individuals requested IDs and passwords between October 13, 2002 and March 31 2003. To the best of my knowledge no individuals other than the inventors, myself, management of Unistar Plastics LLC and the patent attorney who filed the original application had requested or been assigned IDs and passwords prior to March 31 2003.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


Barrett B. Daly, General Counsel
Sack-Saver LLC, Biomedics Inc. and
Unistar Plastics, LLC

Dated November 17, 2009